

House Amendment 1445

PAG LIN

1 1 Amend the amendment, H=1375, to House File 712 as
1 2 follows:
1 3 #1. Page 1, line 8, by striking the word
1 4 <economic> and inserting the following:
1 5 <compensatory>.
1 6 #2. Page 1, line 10, by inserting after the word
1 7 <amount.> the following: <"Actual damages" does not
1 8 include damages for bodily injury, pain and suffering,
1 9 mental distress, loss of consortium, loss of life, or
1 10 loss of enjoyment of life.>
1 11 #3. Page 1, by striking lines 31 and 32 and
1 12 inserting the following:
1 13 <1. A person shall not engage in an>.
1 14 #4. Page 2, by striking lines 36 through 38 and
1 15 inserting the following: <association, savings bank,
1 16 or credit union.>
1 17 #5. Page 3, by striking lines 1 through 35 and
1 18 inserting the following:
1 19 <c. In connection with an advertisement that
1 20 violates this chapter, the newspaper, magazine,
1 21 publication, or other print media in which the
1 22 advertisement appears, including the publisher of the
1 23 newspaper, magazine, publication, or other print media
1 24 in which the advertisement appears, or the radio
1 25 station, television station, or other electronic media
1 26 which disseminates the advertisement, including an
1 27 employee, agent, or representative of the publisher,
1 28 newspaper, magazine, publication or other print media,
1 29 or the radio station, television station, or other
1 30 electronic media.
1 31 d. The provision of local exchange carrier
1 32 telephone service pursuant to a certificate issued
1 33 under section 476.29.
1 34 e. Public utilities as defined in section 476.1
1 35 that furnish gas by a piped distribution system or
1 36 electricity to the public for compensation when
1 37 engaged in activities subject to regulation by the
1 38 utilities board pursuant to chapter 476.
1 39 f. Any advertisement that complies with the
1 40 statutes, rules, and regulations of the federal trade
1 41 commission.
1 42 g. Conduct that is required or permitted by the
1 43 orders or rules of, or a statute administered by, a
1 44 federal, state, or local governmental agency.
1 45 h. An affirmative act that violates this chapter
1 46 but is specifically required by other applicable law,
1 47 to the extent that the actor could not reasonably
1 48 avoid a violation of this chapter.
1 49 i. In any action relating to a charitable
1 50 solicitation, an individual who has engaged in the
2 1 charitable solicitation as an unpaid, uncompensated
2 2 volunteer and who does not receive monetary gain of
2 3 any sort from engaging in the solicitation.>
2 4 #6. Page 5, by inserting after line 9 the
2 5 following:
2 6 <7. A person shall not be held liable in any
2 7 action brought under this section for a violation of
2 8 this chapter if the person shows by a preponderance of
2 9 the evidence that the violation was not intentional
2 10 and resulted from a bona fide error notwithstanding
2 11 the maintenance of procedures reasonably adopted to
2 12 avoid the error.>
2 13 #7. Page 6, by striking lines 3 through 9.
2 14 #8. Page 6, line 10, by striking the figure
2 15 <714H.8> and inserting the following: <714H.7>.
2 16 #9. By renumbering as necessary.
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2 20 _____
2 21 SWAIM of Davis
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2 24 _____
2 25 PALMER of Mahaska

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2 28 R. OLSON of Polk

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